

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Itzhak Bentwich  
 App. No.: 10/604,943  
 Conf. No.: 1942  
 Filing Date: August 28, 2003

Art Unit: 1635  
 Examiner: SHIN, DANA H  
 Title: BIOINFORMATIALLY  
 DETECTABLE GROUP OF NOVEL  
 VACCINIA REGULATORY GENES  
 AND USES THEREOF

INFORMATION DISCLOSURE STATEMENT  
 PURSUANT TO 37 C.F.R. §§ 1.56, 1.97 AND 1.98

Dear Sir:

In compliance with 37 C.F.R. § 1.97 and the continuing duty of disclosure under 37 C.F.R. § 1.56, Applicants call to the attention of the Examiner the references listed on the attached forms. It is respectfully requested that this Information Disclosure Statement be entered and the documents listed on the attached forms be considered by the Examiner and made of record.

In accordance with 37 C.F.R. § 1.97(g), this Information Disclosure Statement is not to be construed as a representation that a search has been made. In accordance with 37 C.F.R. § 1.97(h), this Information Disclosure Statement is not to be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

This Information Disclosure Statement does not include copies of cited U.S. patents and U.S. patent publications pursuant to 37 C.F.R. § 1.98(a)(2).

In accordance with 37 C.F.R. § 1.98(d), this Information Disclosure Statement also does not include the following copies of cited non-patent literature references or foreign patents, as copies of these items were provided with the below-listed Applications, all of which are relied upon for an earlier effective filing date under 35 U.S.C. § 120.

Application No.	Filing Date	NPL Cite Nos.	Foreign Patent Cite Nos.
10/303,778	November 26, 2002	20-1750, 1780-1790, 1850-1860	B2, B4
10/310,188	December 5, 2002	1760-1770, 1830-1840	B5

This Information Disclosure Statement is being filed before the mailing of a first Office action on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b)(3). No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. § 1.16 to 1.21 be deemed necessary for any reason relating to this document, the Commissioner is hereby authorized to deduct the fees from Deposit Account No. 50-1662 referencing the above docket number.

Respectfully submitted,

**POLSINELLI SHALTON WELTE SUELTHAUS PC**

Dated: October 3, 2006

By: / Teddy C. Scott, Jr., Ph.D./  
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